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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Contemporary Forms
of Slavery
Seventeenth session
4-13 May 1992

ANNOTATIONS TO THE PROVISIONAL AGENDA

Prepared by the Secretary-General pursuant to paragraph 13 of resolution 1988/31 of the Sub-Commission

1. Election of officers

1. Rule 23 of the rules of procedure of the functional commissions of the Economic and Social Council provides that unless the Commission decides otherwise, its subsidiary organs shall elect their own officers.

2. Adoption of the agenda

2. Rule 7 of the rules of procedure provides that the agenda shall be adopted at the beginning of each session, after the election of officers, on the basis of the provisional agenda. The provisional agenda for the present session of the Working Group on Contemporary Forms of Slavery is contained in document E/CN.4/Sub.2/AC.2/1992/1.

3. It may be noted that the Sub-Commission, by its resolution 1988/31, approved the programme of work of the Working Group for the period 1989-1991. This programme of work (contained in chapter VI of the report of the Working Group on its thirteenth session, E/CN.4/Sub.2/1988/32) included three main themes to be discussed in successive years: prevention of the sale

of children, of prostitution of children and of the use of children in pornography (1989); eradication of the exploitation of child labour and of debt bondage (1990); and prevention of traffic in persons and of the exploitation of the prostitution of others (1991). In addition, at each session, the Working Group will review information received on the status and the implementation of conventions on slavery and slavery-like practices, review developments in other fields of contemporary forms of slavery and consider the recommendations adopted at previous sessions. At its sixteenth session, the Working Group decided to devote its seventeenth session (1992) to an overall evaluation of its activities during the fourteenth, fifteenth and sixteenth sessions, as well as the consideration of any crucial, serious or urgent matters.

4. By its resolution 1990/30, the Sub-Commission endorsed the decision of the Working Group to place the question of child soldiers on the agenda of its sixteenth session. At its sixteenth session, the Working Group decided to consider this question at its seventeenth session.

5. At its sixteenth session, the Working Group decided to examine at its seventeenth session the question of the removal of organs from children for the purpose of commercial transplants as a separate subitem under item 5 of its agenda.

6. In its resolution 1991/34, the Sub-Commission requested the Secretary-General to examine the possibility of organizing the sessions of the Working Group on Contemporary Forms of Slavery for eight working days during the months of April or May, in order to avoid overlapping with meetings of other working groups of the Sub-Commission and the burden this places on the Centre for Human Rights, and in view of the impossibility of representatives of Governments and non-governmental organizations attending simultaneous sessions. This request was approved by the Commission on Human Rights in its decision 1992/115. In its resolution 1992/47, the Commission requested the Secretary-General to make arrangements to hold the seventeenth session of the Working Group on Contemporary Forms of Slavery from 4 to 13 May 1992.

3. Review of information received on the status and the implementation of conventions on slavery and slavery-like practices

7. By its resolution 1992/47, the Commission on Human Rights requested the Secretary-General to invite States parties to the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 to submit to the Sub-Commission regular reports on the situation in their countries, as provided for under the conventions and in Economic and Social Council decision 16 (LVI) of 17 May 1974. The Commission invited those eligible States that had not ratified the relevant conventions to consider doing so as soon as possible, or to explain in writing why they felt unable to do so, and invited them to consider providing information regarding their national legislation and practices in this field.

8. Information relating to the status of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery and of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others is contained in two notes by the Secretary-General (E/CN.4/Sub.2/AC.2/1991/2 and E/CN.4/Sub.2/AC.2/1992/3 respectively).

9. In its resolution 1991/35, the Economic and Social Council reminded States parties to the slavery conventions of their obligation to submit to the Working Group on Contemporary Forms of Slavery regular reports on the situation in their countries, as provided for under the relevant conventions and under Economic and Social Council decision 16 (LVI).

10. Information received from States on their compliance with the provisions of the slavery conventions is contained in document E/CN.4/Sub.2/AC.2/1992/4.

11. Upon the recommendation of the Sub-Commission, the Commission on Human Rights, in its resolution 1989/35, requested the Secretary-General to undertake a study of the ways and means by which an effective mechanism might be established for the implementation of the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949. The Working Group at its fourteenth session had before it the study prepared by the Secretary-General on this question (E/CN.4/Sub.2/1989/37).

12. In its resolution 1990/63, the Commission on Human Rights welcomed the study prepared by the Secretary-General on ways and means for establishing an effective mechanism for the implementation of the Slavery Conventions and encouraged the Sub-Commission, including its Working Group, to continue its debate on this study and to elaborate recommendations on this issue at its forty-second session. In its resolutions 1991/58 and 1992/47, the Commission on Human Rights once again encouraged the Sub-Commission, including its Working Group, to elaborate recommendations on the ways and means of establishing such a mechanism on the basis of the study prepared by the Secretary-General. The study is therefore available for discussion by the Working Group at its present session.

4. Overall evaluation of the activities of the Working Group during its fourteenth, fifteenth and sixteenth sessions

(a) Prevention of sale of children, child prostitution and child pornography

(i) Sale of children

13. In its resolution 1982/15, the Sub-Commission, having examined a relevant recommendation of the Working Group on Slavery, considered that a report on the causes and implications of the sale of children, including commercially motivated (and especially transnational) adoptions, should be prepared. By its resolution 1983/30 of 26 May 1983, the Economic and Social Council requested the Centre for Human Rights to prepare, in liaison with the

United Nations agencies and organs concerned and with the competent non-governmental organizations, a study on the sale of children and to submit it as soon as possible to the Sub-Commission.

14. Two reports and a note on this subject have been prepared by the Secretary-General and submitted to the Sub-Commission (E/CN.4/Sub.2/1987/28, E/CN.4/Sub.2/1988/30 and E/CN.4/Sub.2/1989/38).

15. Upon the recommendation of the Working Group on Contemporary Forms of Slavery which had considered the question of prevention of sale of children, of child prostitution and of child pornography as the main theme of its fourteenth session in 1989, the Sub-Commission, in its resolution 1989/41, requested the Secretary-General to submit to the Sub-Commission, at its forty-second session, a report on the adoption of children for commercial purposes and on the recruitment of children into government and non-governmental armed forces and their participation in hostilities, taking into account the comments of Governments, and further information received by him.

16. Upon the recommendation of the Sub-Commission (resolution 1989/42), the Commission on Human Rights, in its resolution 1990/68, decided to appoint for a period of one year a Special Rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes. The Commission requested the Special Rapporteur to submit a comprehensive report to the Commission at its forty-seventh session on his activities relating to these matters, including the frequency and extent of such practices, as well as his conclusions and recommendations.

17. By its resolution 1989/43, the Sub-Commission endorsed the draft programme of action for prevention of sale of children, child prostitution and child pornography prepared by its Working Group on Contemporary Forms of Slavery, the text of which is found in the report of the Working Group on its fourteenth session (E/CN.4/Sub.2/1989/39). Upon the recommendation of the Sub-Commission, the Commission on Human Rights, in its resolution 1990/67, decided to transmit to Governments, specialized agencies, other intergovernmental organizations and non-governmental organizations the draft programme of action for their comments and requested the Secretary-General to submit to the Commission at its forty-seventh session an analytical summary of the responses received.

18. The Sub-Commission, in its resolution 1990/30, welcomed the appointment of Mr. Vitit Muntarbhorn as Special Rapporteur of the Commission on Human Rights, for a term of two years, to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes, and invited the Rapporteur to examine ways and means of cooperating with the Working Group on Contemporary Forms of Slavery and to seek the possibility of conducting his consultations with the Centre for Human Rights during the sixteenth session of the Working Group.

19. By its resolution 1991/53, the Commission on Human Rights welcomed the preliminary assessment by the Special Rapporteur of his task as contained in his report to the Commission on Human Rights (E/CN.4/1991/51) and requested the Special Rapporteur to continue to carry out his work in the light of the mandate as enunciated in resolution 1990/68, taking into account the conclusions and recommendations in his report, and to report on his activities to the Commission at its forty-eighth session.

20. By its resolution 1991/54, the Commission took note of the comments by Governments, specialized agencies and non-governmental organizations received by the Secretary-General on the draft programme of action for prevention of sale of children, child prostitution and child pornography (E/CN.4/1991/50 and Add.1) and decided to refer the draft programme of action for prevention of sale of children, child prostitution and child pornography to the Sub-Commission so that it might make the necessary amendments in the light of the opinion of States, specialized agencies and non-governmental organizations interested in the matter. The Commission requested the Sub-Commission, in its reformulation of the programme of action, fully to reflect the 10 points of the Plan of Action adopted by the World Summit for Children. The Sub-Commission was also requested to give the highest priority to the reformulation of the programme of action so that it might be adopted by the Commission on Human Rights at its forty-eighth session. The Commission requested the Special Rapporteur, on the basis of his experience, to consider the possibility of submitting his comments and suggestions to the Working Group on Contemporary Forms of Slavery, if possible by attending its meetings.

21. The Sub-Commission, in its resolution 1991/34, requested the Special Rapporteur to pay increased attention to aspects relating to trafficking in children, especially trafficking with a view to organ transplantation, disappearances, the purchase and sale of children, child prostitution and participation by children in armed conflicts. The Sub-Commission decided to transmit to the Special Rapporteur the information supplied to the Working Group on Contemporary Forms of Slavery on the above-mentioned subjects and recommended that the Commission on Human Rights should extend the mandate of the Special Rapporteur beyond 1991. The Sub-Commission once again invited the Special Rapporteur to consider ways and means of cooperating with the Working Group. In its decision 1991/113, the Sub-Commission, taking note of the draft programme of action for the prevention of the sale of children, child prostitution and child pornography reformulated by the Working Group on Contemporary Forms of Slavery on the basis of comments submitted by States, specialized agencies and interested non-governmental organizations pursuant to Commission on Human Rights resolution 1991/54, decided to transmit the draft programme of action contained in the report of the Working Group (E/CN.4/Sub.2/1991/41 and Corr.1) to the Commission on Human Rights.

22. The Commission on Human Rights, in its resolution 1992/74, adopted the Programme of Action for the prevention of the sale of children, child prostitution and child pornography and decided to examine the question of the implementation of the Programme of Action by all States every two years. To that end, the Commission requested the Sub-Commission to submit to it a report on the status of implementation of the Programme of Action.

23. In its resolution 1992/76, the Commission on Human Rights welcomed the report of the Special Rapporteur on the sale of children (E/CN.4/1992/55 and Add.1) and endorsed his conclusions and recommendations concerning the strengthening of preventive strategies to tackle the root causes of sale of children, child prostitution and child pornography. The Commission decided to extend the mandate of the Special Rapporteur for a further three years and invited him to cooperate closely with the Committee on the Rights of the Child and the Working Group on Contemporary Forms of Slavery.

(ii) Child prostitution and child pornography

24. Upon the recommendation of the Sub-Commission (resolution 1985/23), the Commission on Human Rights, in its resolution 1986/34, recommended that special attention should be devoted to the problem of child prostitution in all its forms.

25. By its resolution 1988/42, the Commission on Human Rights invited the Sub-Commission and its Working Group to draw up a plan of action on its future work regarding the elimination of contemporary forms of slavery, including the traffic in persons and the exploitation of the prostitution of others, and paying particular attention to the prevention of child prostitution and child pornography.

26. The Economic and Social Council, in its resolution 1988/34, endorsed the recommendations of the Sub-Commission (resolution 1987/32) and the Commission on Human Rights (resolution 1988/42) and invited all Member States to draw up a special programme for the prevention of child prostitution, the suppression of its exploitation and the social rehabilitation of its victims.

27. The Sub-Commission, in its resolution 1988/31, emphasized the importance of informing and educating children on the dangers of child prostitution and child pornography and appealed to relevant international institutions to promote this sort of information and education. On the recommendation of the Sub-Commission, the Commission on Human Rights, in its resolution 1989/35, urged Member States to enact legislation, where they had not yet done so, making it a crime to produce, distribute or possess pornographic material involving children.

28. For further action taken on this subject by the Sub-Commission and by the Commission on Human Rights, see paragraphs 16 to 23 above.

(b) Eradication of the exploitation of child labour and of debt bondage

(i) Child labour

29. The Sub-Commission, in its resolution 6 B (XXXI) of 13 September 1978, decided to put the subject of the exploitation of child labour on the agenda of its thirty-second session in 1979, the International Year of the Child. In the same resolution, the Sub-Commission requested the Secretary-General to cooperate with the United Nations agencies concerned with the question of the exploitation of child labour through the exchange of information, the

preparation of joint studies and similar activities. In its resolution 7 B (XXXII) of 5 September 1979, the Sub-Commission decided to review the question of the exploitation of child labour annually.

30. Upon the recommendation of the Sub-Commission, the Commission on Human Rights, by its resolution 17 (XXXVI) of 29 February 1980, recommended to the Economic and Social Council that it authorize the Sub-Commission to entrust Mr. Abdelwahab Bouhdiba as Special Rapporteur with the preparation of a report on the exploitation of child labour. The Council endorsed this recommendation by its decision 1980/125.

31. Having received the study prepared by Mr. Bouhdiba on the exploitation of child labour (E/CN.4/Sub.2/479/Rev.1), the Commission on Human Rights, in its resolution 1982/21, invited the Sub-Commission to present to the Council, through the Commission, a concrete programme of action to combat violations of human rights through the exploitation of child labour. The note by the Special Rapporteur setting out his proposed programme of action (E/CN.4/Sub.2/1982/29) was submitted to the Sub-Commission at its thirty-fifth session and to the Commission on Human Rights for its consideration.

32. By its resolution 1984/28, the Economic and Social Council endorsed the recommendation of the Commission on Human Rights (resolution 1984/35) to organize, in close cooperation with the International Labour Office, a seminar on ways and means of achieving the elimination of the exploitation of child labour in all parts of the world, within the framework of the programme of advisory services in the field of human rights. The report of the seminar, which was held in Geneva from 28 October to 8 November 1985, is contained in document ST/HR/SER.A/18.

33. On the recommendation of the Sub-Commission, the Commission, in its resolution 1986/34, recommended that in all societies appropriate employment legislation should be adopted, education facilities made available at the place of work or elsewhere and a legal minimum age and minimum wage for children introduced, and that all competent national authorities should ensure that no children under the minimum age established by law were employed, either directly or through local subcontractors. The Commission further recommended that all competent United Nations agencies, development banks and intergovernmental bodies involved in development projects should encourage policies and measures to protect the human rights of children against abusive labour.

34. The Sub-Commission, in its resolution 1988/31, recommended that the United Nations agencies dedicated to child welfare, particularly the United Nations Children's Fund and the International Labour Organisation, should study the problem of child labour with a view to assisting those countries in which it existed to eradicate it. It further recommended that all competent United Nations agencies, development banks and intergovernmental bodies involved in development projects should ensure that no child was employed either directly or through local subcontractors.

35. The Sub-Commission, in its resolutions 1990/30 and 1991/34, requested the Commission on Human Rights to authorize it to consider the possibility of appointing a special rapporteur to update Mr. Bouhdiba's report on the exploitation of child labour and to extend that study to the problem of debt bondage. At its forty-seventh and forty-eighth sessions, the Commission on Human Rights took no action in this regard. In resolution 1990/30, the Sub-Commission recommended that the Committee on Economic, Social and Cultural Rights, when it examined the periodic reports of States parties to the International Covenant on Economic, Social and Cultural Rights, should give particular attention to the implementation of articles 10, 12 and 13 of the Covenant, with a view to improving the situation of children and eliminating the contemporary forms of slavery affecting children and the exploitation of child labour. The Sub-Commission also recommended that the supervisory bodies of the International Labour Organisation and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons.

36. By its resolution 1991/55, the Commission on Human Rights endorsed the views expressed by the Sub-Commission on the need to adopt a concerted programme of action to combat these practices and decided to transmit the draft programme of action drawn up by the Working Group on Contemporary Forms of Slavery at its fifteenth session in 1990 to Governments, the specialized agencies, other intergovernmental organizations, and non-governmental organizations for their comments. The Secretary-General was requested to submit a summary of the replies received to the Commission at its forty-eighth session. In its resolution 1991/34, the Sub-Commission requested the Secretary-General to make this summary of the replies available also to the Working Group on Contemporary Forms of Slavery. Pursuant to this request, the Working Group will have before it the report of the Secretary-General on this subject (E/CN.4/1992/45).

37. After having examined the summary submitted by the Secretary-General, the Commission, in its resolution 1992/74, took note of the comments received and decided to submit to the Sub-Commission the draft programme of action on the elimination of the exploitation of child labour (E/CN.4/1992/45, annex) for the necessary changes, taking into account the views received by Governments, specialized agencies, intergovernmental and non-governmental organizations, and requested the Sub-Commission to give the utmost priority to the re-elaboration of this draft programme so that it could be approved by the Commission at its forty-ninth session. The Commission further requested the Special Rapporteur on the sale of children, given his experience, to consider the possibility of presenting his comments and suggestions to the Working Group on Contemporary Forms of Slavery.

(ii) Debt bondage

38. The Sub-Commission, in its resolution 6 B (XXXI) of 13 September 1978, requested the Secretary-General to undertake, together with the specialized agency concerned, an in-depth, worldwide study of debt bondage, taking into

account all the relevant economic, social and legal aspects and the interconnections with other slavery-like practices, and for this purpose to make use of any information from reliable sources made available to him.

39. By its resolution 8 (XXXIII) of 10 September 1980, the Sub-Commission invited the Secretariat to give priority to the study of debt bondage requested in Sub-Commission resolution 6 B (XXXI). It requested the Secretariat to examine the possibility of organizing a round table or symposium on debt bondage, with the participation of experts, the specialized agencies and all concerned bodies of the United Nations system, as part of its advisory services programme, in order that the problem could be studied in depth.

40. By its resolution 1982/15, the Sub-Commission urged that the study on debt bondage called for by the Sub-Commission in its resolutions 6 B (XXXI) and 8 (XXXIII) should be undertaken without further delay and that the author should be requested to recommend the steps necessary for total reform within a realistic, but limited, period of time.

41. The Commission on Human Rights, by its resolution 1985/25, requested the Sub-Commission to consider undertaking, at the appropriate time, the study on debt bondage, as recommended on previous occasions. In its resolution 1986/34, the Commission on Human Rights considered that in light of the work of the Sub-Commission and its Working Group on Slavery, several issues including debt bondage had not received sufficient attention.

42. The Sub-Commission, in its resolution 1988/31, recommended that all competent United Nations agencies, development banks and intergovernmental bodies involved in development projects should ensure that their projects did not perpetuate or involve bonded labour, and that they contribute to its elimination. The Sub-Commission further recommended that Member States, where the phenomenon of bonded labour existed, should be urged to take effective means, especially at the implementation level, to curtail bonded labour, for example:

(a) By seeking and encouraging the involvement of non-governmental organizations;

(b) By effective dissemination of national legislation on labour rights and on the prohibition of bonded labour particularly directed towards victims of bonded labour;

(c) By setting up vigilance committees under the law;

(d) By invoking to the fullest extent the constraining power of the law against the violators.

43. In its resolution 1990/30, the Sub-Commission invited the Secretary-General to recommend to the International Labour Organisation that it consider the possibility of holding a seminar or workshop on debt bondage, in relation to and coordination with other organizations and agencies of the United Nations system.

(c) Prevention of traffic in persons and the exploitation of the prostitution of others

44. In its resolution 6 B (XXXI) of 13 September 1978, the Sub-Commission requested the Working Group to follow with interest and to cooperate in the studies on the traffic in persons and on the exploitation of prostitution undertaken by the relevant United Nations organs pursuant to resolution 1 (XXVII) of the Commission on the Status of Women.

45. By its resolution 1980/4, the Economic and Social Council requested the Secretary-General to prepare a report on the application of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, emphasizing in particular the causes and socio-economic conditions which encouraged the development of prostitution. In its resolution 1981/40, the Council requested the Secretary-General to undertake an inquiry among the Governments of Member States and the international organizations concerned on the status of the question and to report thereon to the General Assembly at its thirty-seventh session, so that, with full knowledge of the facts, joint measures could be envisaged to put an end to that form of slavery. A report containing all information available to the Secretary-General on the traffic in persons and the exploitation of the prostitution of others (E/CN.4/Sub.2/AC.2/1982/13 and Add.1) was transmitted to the Working Group on Slavery at its eighth session, in 1982. The document was subsequently submitted to the General Assembly at its thirty-seventh session.

46. By its resolution 1982/20, the Economic and Social Council requested the Secretary-General to appoint a special rapporteur to make a synthesis of the surveys and studies on the traffic in persons and the exploitation of the prostitution of others that had been or were being carried out within the agencies in the United Nations system or outside the system, and to propose appropriate measures to prevent and suppress those practices that were contrary to the fundamental rights of human beings. The Special Rapporteur, Mr. J. Fernand-Laurent, submitted his report on the suppression of the traffic in persons and the exploitation of the prostitution of others (E/1983/7 and Corr.1 and 2) to the Economic and Social Council in 1983.

47. The Council, in its resolution 1983/30, recommended that Member States should take account of the report of the Special Rapporteur and draw up, subject to their constitutions and legislation and in consultation with the parties concerned, policies aimed, to the extent possible, at:

(a) Preventing prostitution by moral education and civics training, in and out of school;

(b) Increasing the number of women among the State's personnel having direct contact with the populations concerned;

(c) Eliminating discrimination that ostracized prostitutes and made their reabsorption into society more difficult;

(d) Curbing the pornography industry and the trade in pornography and penalizing them very severely when minors were involved;

(e) Punishing all forms of procuring in such a way as to deter it, particularly when it exploited minors;

(f) Facilitating occupational training for and the reabsorption into society of persons rescued from prostitution.

The Council further invited Member States to cooperate closely with one another in the search for missing persons and in the identification of international networks of procurers and, if they were members of the International Criminal Police Organization, to cooperate with that organization, requesting it to make the suppression of the traffic in persons one of its priorities. The Council invited the regional commissions to help Member States and United Nations bodies wishing to organize regional expert meetings, seminars or symposia on the traffic in persons.

48. In the same resolution, the Council requested the Centre for Human Rights to prepare, in liaison with the United Nations agencies and organs concerned and with the competent non-governmental organizations, a study on the legal and social problems of sexual minorities and to submit it as soon as possible to the Sub-Commission. In accordance with Sub-Commission resolution 1987/31, the study on this question, prepared by Mr. J. Fernand-Laurent at the invitation of the Secretary-General, was made available to the Sub-Commission at its fortieth session (E/CN.4/Sub.2/1988/31).

49. The General Assembly of the United Nations, in its resolution 38/107 of 16 December 1983, urged Member States to take all appropriate humane measures, including legislation, to combat prostitution, exploitation of the prostitution of others and all forms of traffic in persons. The Assembly appealed to Member States to provide special protection to victims of prostitution through measures including education, social guarantees and employment opportunities for those victims with a view to their rehabilitation. It requested the Economic and Social Council, the Commission on Human Rights, the Commission on the Status of Women, the regional commissions and other concerned bodies of the United Nations system to devote greater attention to the problem of prostitution and the means for its prevention.

50. By its resolution 1985/25, the Commission on Human Rights recommended that the struggle against procuring should be intensified at the national level and, further, that international measures be adopted with the twofold purpose of dismantling the networks which feed prostitution and repatriating the victims of these networks, as well as extending assistance to them. The Commission further recommended that all States concerned should adopt and implement such social and legal measures as were necessary to ensure the orderly and effective reinsertion into society of the victims of prostitution.

51. The Sub-Commission, in its resolution 1988/31, encouraged United Nations bodies, in particular the United Nations Educational, Scientific and Cultural Organization, to examine the possibility of organizing expert meetings on the international standards regarding the prevention of traffic in persons and the

exploitation of the prostitution of others. The Sub-Commission also requested the Secretary-General to invite the Branch for the Advancement of Women at the United Nations Office in Vienna to send information contained in the reports of States submitted under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women which referred to prostitution under article 6 of that Convention to the Working Group. At its fourteenth session, in 1989, the Working Group had before it that information (E/CN.4/Sub.2/AC.2/1989/6).

52. The Sub-Commission, in its resolution 1990/30, recommended that the Committee on the Elimination of Discrimination against Women, when examining the reports of States parties to the Convention on the Elimination of All Forms of Discrimination against Women, should give particular attention to the implementation of the provisions of article 6 of the Convention, with a view to suppressing all forms of traffic in women.

53. The Commission on Human Rights, in its resolutions 1989/35, 1990/63, 1991/58 and 1992/47, invited all Member States to consider the possibility of taking appropriate action for the protection of migrant women against exploitation by prostitution and other slavery-like practices, including the possibility of establishing national bodies to achieve these objectives. The Commission requested Governments to pursue a policy of information, prevention and rehabilitation of women victims of the exploitation of prostitution and to take the appropriate economic and social measures deemed necessary to that end.

54. In its resolutions 1989/74, 1990/46 and 1991/35, the Economic and Social Council requested the Secretary-General to report on the steps taken to implement the recommendations contained in Council resolution 1983/30 by those Member States, United Nations organizations and other intergovernmental organizations that had not yet submitted such information and to make that report available to the Working Group on Contemporary Forms of Slavery. The Working Group will have before it the reports of the Secretary-General (E/1990/33 and E/1991/18) on the implementation of Council resolution 1983/30.

55. The Sub-Commission, in its resolution 1991/34, requested the Secretary-General to send a representative of the Centre for Human Rights to participate in a Council of Europe seminar on trafficking in persons and prostitution (Strasbourg, 24-27 September 1991) and to report on the results of that seminar to the Working Group at its seventeenth session. The report of the Secretary-General on this issue is contained in document E/CN.4/Sub.2/AC.2/1992/8.

56. At its sixteenth session, in 1991, the Working Group on Contemporary Forms of Slavery included on its agenda, under the main theme of the session, Prevention of traffic in persons and the exploitation of the prostitution of others, two new subitems entitled:

(a) United Nations conventions on the rights of women and their protection, including the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others; and

(b) Proposal for a request for an advisory opinion by the International Court of Justice on the validity of reservations to the Convention on the Elimination of All Forms of Discrimination against Women.

57. By its decision 1991/115, the Sub-Commission decided to suspend consideration of the draft resolution entitled "Validity of reservations to the Convention on the Elimination of All Forms of Discrimination against Women" until its forty-fourth session.

58. In its resolution 1991/37, the Sub-Commission endorsed the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others which was drawn up by the Working Group on Contemporary Forms of Slavery at its sixteenth session.

59. The Commission on Human Rights, in its resolution 1992/36, endorsed the views expressed by the Sub-Commission on the need to launch concerted action to combat traffic in persons and the exploitation of the prostitution of others and decided to transmit the draft programme of action (E/CN.4/Sub.2/1991/41, annex I) to Governments, specialized agencies and intergovernmental and non-governmental organizations for their comments. The Secretary-General was requested to submit to the Commission at its forty-ninth session a report containing a summary of the comments received.

5. Review of developments in other fields of contemporary forms of slavery

60. By its resolution 13 (XXIII) of 21 March 1967, the Commission on Human Rights requested the Sub-Commission to undertake regular consideration of the question of slavery in all its forms, including the slavery-like practices of apartheid and colonialism.

61. In its resolution 7 (XXVI) of 19 September 1973, the Sub-Commission recommended that it should be authorized to appoint a group of five from among its membership to meet prior to each session of the Sub-Commission to review developments in the field of slavery and the slave trade in all their practices and manifestations, and to consider and examine any information from credible sources on the subject with a view to recommending remedial action. This recommendation was endorsed by the Commission on Human Rights and by the Economic and Social Council in its decision 16 (LVI) of 17 May 1974, which contains the mandate of the Working Group. The Working Group held its first session in 1975 and has since held sixteen sessions.

62. In its resolution 1695 (LII) of 2 June 1972, the Economic and Social Council invited the International Criminal Police Organization (INTERPOL) to cooperate, within the limits established by its constitution and in accordance with the special arrangement between the United Nations and that organization, approved by the Council in its resolution 1579 (L) of 20 May 1971, with the United Nations in its efforts to eliminate slavery, the slave trade, and institutions and practices similar to slavery, and in particular to forward to the Secretary-General annually any information at its disposal with regard to the international traffic in persons, including reports on the subject received from its national central bureaux.

63. In its resolution 1991/58, the Commission on Human Rights recommended that the General Assembly should establish a voluntary fund on contemporary forms of slavery and requested the Economic and Social Council to take further action on this matter. In compliance with that request, the Economic and Social Council, by its resolution 1991/34, requested the General Assembly to establish a voluntary trust fund on contemporary forms of slavery. In its resolution 46/122, the General Assembly decided to establish such a fund and appealed to all Governments to respond favourably to requests for contributions to the Fund.

64. In its resolutions 1991/58 and 1992/47, the Commission on Human Rights invited intergovernmental organizations, relevant organizations of the United Nations system, the International Criminal Police Organization and non-governmental organizations concerned to continue to supply relevant information to the Working Group.

65. At its seventeenth session, the Working Group will have before it:

(a) Information submitted by Governments, United Nations organs, specialized agencies and intergovernmental organizations (E/CN.4/Sub.2/AC.2/1992/5);

(b) Information submitted by the International Criminal Police Organization (INTERPOL) (E/CN.4/Sub.2/AC.2/1992/7);

(c) Information received from non-governmental organizations (E/CN.4/Sub.2/AC.2/1992/6).

66. In its resolutions 1990/30 and 1991/34, the Sub-Commission requested the Working Group to study the possibility of preparing guiding principles to combat the various contemporary forms of slavery, endeavouring to identify the spheres in which such guiding principles could be applied. The Secretary-General was requested to seek the views and suggestions of Member States and governmental and non-governmental organizations on this subject with a view to the consideration of their replies by the Working Group at its future sessions. The Sub-Commission recommended that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining periodic reports of States parties, should give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, with a view to combating contemporary forms of slavery.

(a) Slavery and the slave trade

67. The General Assembly, in its resolution 228 (III) of 13 May 1949, requested the Economic and Social Council to study the question of slavery. Since that time, a number of reports and studies on the subject have been

prepared, including surveys on slavery prepared by the Ad Hoc Committee on Slavery (E/1988) and by the Secretary-General (E/2540 and Add.1-4), reports by Mr. Hans Engen (E/2673 and Add.1-6), by Mr. Mohamed Awad (E/4168/Rev.1 and E/CN.4/Sub.2/322) and by Mr. Benjamin Whitaker (E/CN.4/Sub.2/1982/20/Rev.1).

68. In its resolution 1982/20, the Commission on Human Rights decided, pursuant to an invitation by the Government of Mauritania, to authorize the Sub-Commission to send a delegation not exceeding two persons, to be appointed by the Chairman of the Sub-Commission in consultation with the Government of Mauritania, to visit Mauritania in order to study the situation and ascertain the country's needs. The reports of Mr. Bossuyt, who was thus appointed to visit Mauritania, are contained in documents E/CN.4/Sub.2/1984/23, E/CN.4/Sub.2/1985/26 and E/CN.4/Sub.2/1987/27.

(b) Slavery-like practices of apartheid and colonialism

69. By its resolution 6 B (XXXI) of 13 September 1978, the Sub-Commission requested the Secretary-General to carry out, as a matter of priority, a study of apartheid and colonialism as collective forms of slavery.

70. At its thirty-third session, the Sub-Commission had before it the report of the Secretary-General (E/CN.4/Sub.2/449). In its resolution 8 (XXXIII) of 10 September 1980, the Sub-Commission strongly expressed its conviction that military, economic and other forms of collaboration with South Africa contributed to the perpetuation of the slavery-like practice of apartheid, and expressed its support for wide and effective sanctions against the apartheid régime.

71. The Commission on Human Rights, in its resolutions 1982/20 and 1984/40, recognized that apartheid was a slavery-like practice and endorsed the call for mandatory economic sanctions against South Africa, and appealed to States Members of the Security Council to support proposals to that effect.

(c) Child soldiers

72. In its resolutions 1989/41, 1990/30 and 1991/34, the Sub-Commission expressed its deep concern at the fact that in many regions of the world children were still taking part in hostilities and were being recruited into the armed forces, and that certain Governments and non-governmental entities encouraged and sometimes compelled children to take part in military training and participate in hostilities.

73. At its forty-second session, the Sub-Commission had before it the report on the recruitment of children into government and non-governmental armed forces (E/CN.4/Sub.2/1990/43 and Add.1 and 2), submitted by the Secretary-General in accordance with the request contained in Sub-Commission resolution 1989/41.

74. The Sub-Commission, in its resolution 1991/34, requested the Secretary-General to update his report on the recruitment of children into government and non-governmental armed forces on the basis of the information provided by Governments, the specialized agencies, intergovernmental and non-governmental organizations concerned and to submit it to the Sub-Commission at its forty-fourth session.

(d) Removal of organs from children for the purpose of commercial transplants

75. In its resolution 1987/32, the Sub-Commission drew the attention of the Commission on Human Rights to the following recommendation of the Working Group on Contemporary Forms of Slavery: "That the report of the Secretary-General on the sale of children (E/CN.4/Sub.2/1987/28) ... be given a deeper and broader accent, including matters relating to organ transplant and the foetus trade."

76. These matters were briefly referred to in two further reports on the sale of children prepared by the Secretary-General (E/CN.4/Sub.2/1988/30, paras. 31 and 34; E/CN.4/Sub.2/1989/38, paras. 30, 31 and 34). More substantial study of the issue was undertaken by the Special Rapporteur of the Commission on Human Rights, Mr. V. Muntarbhorn, in his reports on the sale of children (E/CN.4/1991/51, paras. 23-25; E/CN.4/1992/55, paras. 102-108 and 311; E/CN.4/1992/55/Add.1, paras. 28, 29 and 44 (b) (16).

6. Follow-up of recommendations adopted at previous sessions

77. On the recommendation of the Working Group, the Sub-Commission, in its resolution 1987/32, requested the Secretary-General to prepare a survey of all recommendations made by the Working Group since its inception. At its fortieth session, the Sub-Commission had before it the report of the Secretary-General containing such a survey (E/CN.4/Sub.2/1988/29).

78. By its resolution 1988/34, the Economic and Social Council endorsed the recommendation made by the Commission on Human Rights in its resolution 1988/42 that the Sub-Commission consider appointing a special rapporteur to review the implementation of the recommendations made and the appropriate measures taken by United Nations organs and specialized agencies, other international organizations and Member States and to submit recommendations with a view to achieving further progress in the prevention and suppression of slavery-like practices, the traffic in persons and the exploitation of the prostitution of others, as well as other contemporary forms of slavery.

79. The Chairman of the sixteenth session of the Working Group reviewed the recommendations adopted at the previous session of the Working Group as contained in document E/CN.4/Sub.2/1990/44 (see paras. 97-116 of the report of the Working Group on its sixteenth session, E/CN.4/Sub.2/1991/41).

7. Adoption of the report of the Working Group to the Sub-Commission

80. Under rule 37 of the rules of procedure, the Working Group is to report to the Sub-Commission on the work of its session.